

EMERY CELLI BRINCKERHOFF ABADY WARD & MAAZEL LLP

RICHARD D. EMERY
ANDREW G. CELLI, JR.
MATTHEW D. BRINCKERHOFF
JONATHAN S. ABADY
EARL S. WARD
ILANN M. MAAZEL
HAL R. LIEBERMAN
DANIEL J. KORNSTEIN
O. ANDREW F. WILSON
KATHERINE ROSENFIELD
DEBRA L. GREENBERGER
ZOE SALZMAN
SAM SHAPIRO

ATTORNEYS AT LAW
600 FIFTH AVENUE AT ROCKEFELLER CENTER
10TH FLOOR
NEW YORK, NEW YORK 10020

TEL: (212) 763-5000
FAX: (212) 763-5001
www.ecbawm.com

DIANE L. HOUK

EMMA L. FREEMAN
DAVID BERMAN
HARVEY PRAGER
SCOUT KATOVICH
MARISSA BENAVIDES
NICK BOURLAND
ANDREW K. JONDAHL
ANANDA BURRA
MAX SELVER
VIVAKE PRASAD
NOEL R. LEÓN

July 9, 2021

Via ECF

Honorable P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street, Courtroom 11D
New York, NY 10007

*This is t.
final, 45 day
stay of discovery
so 2021
SJM/JSD
7/9/21*

Re: *Dame Products v. The Metropolitan Transportation Authority, et al.*, Case No. 19 Civ. 05649 (PKC)

Your Honor:

We represent Plaintiff Dame Products in the above-captioned matter. We write jointly with counsel for Defendants to respectfully request a 45-day stay of all discovery (currently scheduled to close on August 2, 2021, *see* Dkt. No. 61) and pre-motion deadlines to allow the parties to continue settlement discussions and develop related paperwork. Five previous requests for an extension of the pre-motion letter deadline were made and granted. *See* Dkt. Nos. 53, 55, 57, 59, and 61. Six previous requests for an extension of the expert discovery deadline were made and granted. *See* Dkt. Nos. 38-39, 40, 42, 55, 57, 59, 61. This is the parties' first request for a stay of discovery.

The parties request a stay because of their ongoing substantive settlement discussions. The parties are sufficiently close to a settlement agreement that a stay of discovery is warranted while the parties complete all necessary aspects of the agreement and related paperwork. The parties continue to believe it is preferable to devote resources to settlement than to expend them on expert discovery or summary judgment pre-motion papers.

Accordingly, the parties request a 45-day stay of all discovery. If the parties are unable to finalize a written settlement within 45 days, the parties request leave to provide the Court with a joint status report on or before August 23, 2021, including a proposal for a revised case management order with new discovery deadlines and pre-motion deadlines.

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Respectfully submitted,

/s

Richard D. Emery
Samuel Shapiro
Emma L. Freeman

c. All counsel of record, *via ECF*